

2003 DRAFTING REQUEST**Bill**Received: **05/16/2003**Received By: **mdsida**Wanted: **As time permits**

Identical to LRB:

For: **Donald Friske (608) 266-7694**By/Representing: **himself**This file may be shown to any legislator: **NO**Drafter: **mdsida**

May Contact:

Addl. Drafters:

Subject: **Criminal Law - law enforcement**
Children - juvenile justice
Correctional System - misc

Extra Copies: **rpn**
gmm

Submit via email: **YES**Requester's email: **Rep.Friske@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Information regarding registered sex offenders who are registered as a result of delinquency adjudication

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	mdsida 05/19/2003	kfollett 05/20/2003 kfollett 05/21/2003		_____			
/1			jfrantze	_____	lemery	lemery	

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
			05/21/2003 _____		05/21/2003	09/23/2003	

FE Sent For:

<END>

→ Not
Needed

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1?	mdsida	11/16/01	6/5/01	Self 5/21			

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<END>

P

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P/c from Rep Fricke

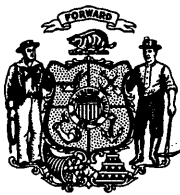
Juvenile who moves from county to county

Must police be notified regardless of
it being a juvenile adjudication.

(repeal (5)(c))

P/c to Tim

Should ~~DOC~~ restriction on release of info re juvenile
still apply to DOC? No.



State of Wisconsin
2003 - 2004 LEGISLATURE

LRB-2733

MGD: *[Signature]*

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

Soon

Gen

- 1 AN ACT ...; relating to: individuals registered as sex offenders based upon a
- 2 juvenile delinquency adjudication.

Analysis by the Legislative Reference Bureau

Under current law, a person who commits sexual assault or a sex offense involving a child must register with the Department of Corrections (DOC) as a sex offender. Information from the sex offender registry is available to police chiefs and sheriffs, who may provide that information on their own initiative to certain organizations (including schools, day care providers, and certain government agencies), individuals, and the public generally, if they determine that doing so is necessary to protect the public. In addition, organizations may request information regarding specific registrants from DOC, while individuals may request such information from either DOC or a police chief or sheriff. Current law, however, prohibits DOC and local law enforcement officers from disseminating information concerning a registrant who is a child or concerning a juvenile delinquency case in which the registrant was involved.

Under this bill, a police chief or sheriff may provide information from the sex offender registry concerning a registrant who is a child or concerning a delinquency case in which the registrant was involved to an organization or a member of the general public if the police chief or sheriff believes that doing so is necessary to protect the public. DOC may also do so in response to a request for information

regarding a specific registrant if it believes that doing so is necessary to protect the public.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 301.46 (2) (e) of the statutes is amended to read:

2 301.46 (2) (e) A police chief or sheriff may provide any of the information to
3 which he or she has access under this subsection, ~~other than information specified~~
4 ~~in subs. (4) (ag) and (5) (e),~~ to an entity in the police chief's community or the sheriff's
5 county that is entitled to request information under sub. (4), to any person requesting
6 information under sub. (5) or to members of the general public if, in the opinion of
7 the police chief or sheriff, providing that information is necessary to protect the
8 public.

History: 1995 a. 440; 1997 a. 6, 27, 130, 181, 237, 283; 1999 a. 89; 2001 a. 16.

9 **SECTION 2.** 301.46 (2m) (c) of the statutes is amended to read:

10 301.46 (2m) (c) A police chief or sheriff who receives a bulletin under this
11 subsection may provide any of the information in the bulletin, ~~other than~~
12 ~~information specified in subs. (4) (ag) and (5) (e),~~ to an entity in the police chief's
13 community or the sheriff's county that is entitled to request information under sub.
14 (4), to any person requesting information under sub. (5) or to members of the general
15 public if, in the opinion of the police chief or sheriff, providing that information is
16 necessary to protect the public.

History: 1995 a. 440; 1997 a. 6, 27, 130, 181, 237, 283; 1999 a. 89; 2001 a. 16.

17 **SECTION 3.** 301.46 (4) (ag) (intro.) of the statutes is amended to read:

18 301.46 (4) (ag) (intro.) The department may not provide any of the following
19 information in response to a request under par. (a) unless it determines that doing
20 so is necessary to protect the public:

History: 1995 a. 440; 1997 a. 6, 27, 130, 181, 237, 283; 1999 a. 89; 2001 a. 16.

✓
1 **SECTION 4.** 301.46 (5) (b) (intro.) of the statutes is amended to read:

2 301.46 (5) (b) (intro.) If the department or a police chief or sheriff provides
3 information under par. (a), the department or police chief or sheriff shall, ~~subject to~~
4 ~~par. (e)~~, provide all of the following concerning the person specified in the request
5 under par. (a) 2.:

X
6 History: 1995 a. 440; 1997 a. 6, 27, 130, 181, 237, 283; 1999 a. 89; 2001 a. 16.

7 **SECTION 5.** 301.46 (5) (c) of the statutes is repealed.

8 **SECTION 6.** 938.78 (2) (h) of the statutes is created to read:

9 938.78 (2) (h) Paragraph (a) does not prohibit the department from disclosing
10 information under s. 301.46 (2) (e), (2m) (c), (5), or (5n) about an individual adjudged
11 delinquent for a sex offense and required to register as a sex offender under s. 301.45
12 based upon that adjudication.

(END)

(4),

Emery, Lynn

From: Gary, Tim
Sent: Tuesday, September 23, 2003 3:27 PM
To: LRB.Legal
Subject: Draft review: LRB 03-2733/1 Topic: Information regarding registered sex offenders who are registered as a result of delinquency adjudication

It has been requested by <Gary, Tim> that the following draft be jacketed for the ASSEMBLY:

Draft review: LRB 03-2733/1 Topic: Information regarding registered sex offenders who are registered as a result of delinquency adjudication